

**RECEIVED
CENTRAL FAX CENTER****JUL 12 2005****Intellectual Property Law Group****Verizon Corporate Services Group Inc**

600 Hidden Ridge Drive
Irving, Texas 75038
MailCode HQE03H14
Phone: 972/718-4800
Fax: 972/718-3946
E mail:
christian.andersen@verizon.com

To: U.S. Patent and Trademark Office – From: Christian R. Andersen
MAIL STOP: Sr. Paralegal – Intellectual Property
Appeal Brief - PATENTS
Examiner: Annan Q. SHANG
Group Art Unit: 2614
Confirmation No.: 4635

Fax: 703-872-9306 Pages
with 27
Cover:

FORMAL SUBMISSION OF:

- 1) Appeal Brief Under Board Rule
37.

Title: METHOD AND SYSTEM FOR INTERACTIVE MULTIMEDIA
Serial No. 09/252,326
Filing Date: February 18, 1999
First Named Inventor: Mark G. PRESTOY
Atty. No. 98-906 RCE 1

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the above-referenced documents are facsimile transmitted to the Patent and Trademark Office on the date shown below:


Christian R. Andersen

Date of Transmission: July 12, 2005

**RECEIVED
CENTRAL FAX CENTER**

JUL 12 2005

PATENT

Customer No. 22,852

Attorney Docket No. 98-906 RCE 1

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being transmitted by facsimile to the United States Patent Office at 703-872-9306.

Christian R. Andersen

(typed or printed name of person mailing paper)

(typed or printed name of person mailing)

Christie R. Amick

(Signature of person mailing paper)

July 12, 2005

(Date)

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

Mark G. PRESTOY

Application No.: 09/252,326

Filed: February 18, 1999

For: METHOD AND SYSTEM FOR
INTERACTIVE MULTIMEDIA

Group Art Unit: 2614

Examiner: Annan Q. Shang

Confirmation No.: 4365

Mail Stop Appeal Brief – Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF UNDER BOARD RULE 37

In support of the Notice of Appeal filed May 25, 2005, and further to Board Rule 37, Appellant presents this brief and encloses herewith a check for the fee of \$500.00 required under 37 C.F.R. § 1.17(c).

This Appeal responds to the January 25, 2005, final rejection of claims 1-26.

If any additional fees are required or if the enclosed payment is insufficient, Appellant requests that the required fees be charged to Deposit Account No. 07-2347.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

TABLE OF CONTENTS

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES	1
I. REAL PARTY IN INTEREST	3
II. RELATED APPEALS AND INTERFERENCES	4
III. STATUS OF CLAIMS	5
IV. STATUS OF AMENDMENTS	6
V. SUMMARY OF CLAIMED SUBJECT MATTER	7
A. Independent Claim 1	7
B. Independent Claim 17	8
VI. GROUNDS OF REJECTION TO BE REVIEWED	9
VII. ARGUMENT	10
A. Claims 1 and 17	10
B. Claims 4, 6, 11, 12, and 20	12
1. Claim 6	13
C. Claims 2, 18, and 26	14
D. Claims 3, 5, 10, 13, 15, 19, 23, and 24	15
1. Claims 3, 13, 19, and 24	15
2. Claims 5, 10, 15, and 23	16
E. Claims 7-9, 21, and 22	17
F. Claims 14 and 25	18
G. Claim 16	18
H. Conclusion	19
VIII. CLAIMS APPENDIX	20
IX. EVIDENCE APPENDIX	25
X. RELATED PROCEEDINGS APPENDIX	26

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

I. REAL PARTY IN INTEREST

The real party in interest is Verizon Corporate Services Group Inc., the assignee of the entire right, title and interest in the present Application.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

II. RELATED APPEALS AND INTERFERENCES

There are currently no other appeals or interferences, of which Appellant, Appellant's legal representative, or Assignees are aware, that will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

III. STATUS OF CLAIMS

Claims 1-26 remain pending and under consideration, and have been finally rejected.

The rejection of claims 1-26 is appealed.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

IV. STATUS OF AMENDMENTS

No amendments have been filed subsequent to the final rejection.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

V. SUMMARY OF CLAIMED SUBJECT MATTER

A. Independent Claim 1

An interactive multimedia system (FIG. 1, element 100), comprising:

a massively parallel video server (FIGS. 1-2, element 140; *see, e.g., Appellant's Specification*, p. 7, ll. 1-10, and 18-21) that includes:

a set of storage devices (FIG. 2, elements 220_{1-K}; *see, e.g., Appellant's Specification*, p. 7, ll. 11-17); and

a plurality of processors (FIG. 3, element 300) configured to stream a plurality of video streams from one or more video titles stored in the set of storage devices (*see, e.g., Appellant's Specification*, p. 7, ll. 22-25), the plurality of processors all having concurrent access to said set of storage devices for concurrently streaming the plurality of video streams (*see, e.g., Appellant's Specification*, p. 7, ll. 6-10, 14-17);

a plurality of client devices (FIG. 1, element 180) configured to receive at least some of the plurality of video streams (*see, e.g., Appellant's Specification*, p. 8, l. 26, through p. 9, l. 4);

and

a high capacity transport system (FIG. 1, element 150) for transporting the video streams from the massively parallel video server to the plurality of client devices (*see, e.g., Appellant's Specification*, p. 5, ll. 25-28).

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

B. Independent Claim 17

A method (FIG. 6) for delivering interactive multimedia from storage devices to a plurality of subscribers at a subscriber site (FIG. 1, element 160), said method comprising:

providing a massively parallel video server (FIGS. 1-2, element 140; *see, e.g.*,

Appellant's Specification, p. 7, ll. 1-10, and 18-21) that includes:

a set of storage devices (FIG. 2, elements 220_{1-K}; *see, e.g.*, Appellant's

Specification, p. 7, ll. 11-17); and

a plurality of processors (FIG. 3, element 300) configured to stream a plurality of video streams from one or more video titles stored in said set of storage devices (*see, e.g.*,

Appellant's Specification, p. 7, ll. 22-25), the plurality of processors all having

concurrent access to said set of storage devices for concurrently streaming the plurality of video streams (*see, e.g.*, Appellant's Specification, p. 7, ll. 6-10, 14-17);

streaming the plurality of video streams from the one or more video titles stored in the massively parallel video server (id.); and

transporting the video streams to a plurality of clients (FIG. 1, element 180; *see, e.g.*, Appellant's Specification, p. 8, l. 26, through p. 9, l. 4) via a high capacity transport system (FIG. 1, element 150; *see, e.g.*, Appellant's Specification, p. 5, ll. 25-28).

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

VI. GROUND OF REJECTION TO BE REVIEWED

A. Claims 1, 4, 6, 11, 12, 17, and 20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Dewkett et al. (U.S. Patent No. 5,646,767).

B. Claims 2, 18, and 26 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Dewkett et al. in view of Ehreth (U.S. Patent No. 6,286,142).

C. Claims 3, 5, 10, 13, 15, 19, 23, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dewkett et al. in view of Banks (U.S. Patent No. 6,139,197).

D. Claims 7-9, 21, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dewkett et al. in view of Hluchyj (U.S. Patent No. 6,151,325).

E. Claims 14 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dewkett et al., in view of Banks as applied to claims 3 and 19, and further in view of Cannon et al. (U.S. Patent No. 6,014,706).

F. Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Dewkett et al. in view of Banks as applied to claim 5, and further in view of Fukui et al. (U.S. Patent No. 6,052,715).

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

VII. ARGUMENT

A. Claims 1 and 17

Claims 1 and 17 are rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Dewkett et al. Appellant traverses this rejection because Dewkett et al. fails to show each and every recitation of the rejected claims.

Claim 1 recites an interactive multimedia system comprising (in part):

a massively parallel video server that includes:

a set of storage devices; and

a plurality of processors configured to stream a plurality of video streams from one or more video titles stored in the set of storage devices, the plurality of processors all having concurrent access to said set of storage devices for concurrently streaming the plurality of video streams

Claim 1, ll. 3-7. Claim 17 recites “[a] method for delivering interactive multimedia” that includes recitations similar to those cited in claim 1. See Claim 17, ll. 3-8.

The Examiner asserts that CPUs 101 of the host computer system described in Dewkett et al. are both “configured to stream video” and have “concurrent access” to disks 107. See Final Office Action, p. 2, l. 13, through p. 3, l. 11, and p. 6, l. 22, through p. 7, ll. 10. However, this is not the case. In fact, Dewkett et al. *explicitly* states that the “CPUs [101] ... of the host system are not used for [multimedia] data transmission.” Dewkett et al., col. 10, ll. 4-5 (emphasis added). See also id., col. 4, ll. 35-49, and col. 5, ll. 60-63. Thus, contrary to the Examiner’s assertions, the CPUs 101 described in Dewkett et al. are not “configured to stream” video, as recited by claims 1 and 17.

Notwithstanding this explicit statement in Dewkett et al., the Examiner argues that

the host CPUs “plurality of processors” handles concurrent STB [(set top box)] requests, which includes movie start and stop commands and controls any Multimedia Adapter 106 to retrieve

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

the requested movie from any set of disk "set of storage devices" associated with the MM [(Multi-Media)] adapter 106 to concurrently stream movie requests to STBs (col. 9, lines 19-22, line 45-col. 10, line 2); determines the transmission of the requested movie to be allowed to the STB and sends a respon[sive] command to the appropriate MMC [(Multi-Media Controller)] of MM adapter 106 (col. 9, lines 58-62); accepting interruption, reading blocks, inserting start and stop commands, performing processes needed to be done before any movie can be transmitted to any STB (col. 13, lines 58-63); copies or replicates movies from tape to one of more disks associated with the MM adapter 106 (col. 14, lines 39-62), etc. ... [T]he plurality of CPUs in the host system are the master controllers of the interactive multimedia server system that are configured to control any intermediate MMC of the MM adapter 106 to concurrently stream movies to any STB based on the request and furthermore controlling interrupts, checking for authorization and billing, etc., of the interactive multimedia server system.

Final Office Action, p. 2, l. 15, through p. 3, l. 11 (emphasis in original).

However, even assuming, *arguendo*, that the Examiner's characterization of Dewkett et al. is correct (which Appellant does not admit), none of the activities of CPUs 101 cited by the Examiner include "stream[ing] a plurality of video streams," as recited in claims 1 and 17. Instead, Dewkett et al. uses multimedia controller (MMC) processors 401 to "control movie data transmission to the STB[s]" (Dewkett et al., col. 16, l. 48). As explained above, the host system CPUs 101 are not used for such streaming. Id., col. 10, ll. 4-5.

Further, as Appellant has previously noted (and the Examiner has not disputed); the MMC processors 401 do not have "concurrent access to said set of storage devices," as recited in claims 1 and 17. Rather, each MMC processor 401 has access only to those disks 107 that are connected to the disk adapters 303 controlled by the individual MMC processor 401. Id., FIGS. 3 and 4, and col. 4, ll. 41-44. In fact, rather than providing concurrent access to disks 107, Dewkett et al. describes using CPUs 101 to copy movies between from a disk 107 accessible to

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

one MMC processor 401 to a disk accessible to another MMC processor 401 that is servicing the requesting STB. Id., col. 16, ll. 36-40.

Thus, Dewkett et al. does not show “a plurality of processors” that are both “configured to stream a plurality of video streams from one or more video titles stored in the set of storage devices” and “hav[e] concurrent access to said set of storage devices for concurrently streaming the plurality of video streams,” as recited in claims 1 and 17. Rather, Dewkett et al. uses one set of processors (processors 401 of the MMC) to control movie data transmission to the STBs (id., col. 16, l. 48), and another set of processors (processors 101 of the host system) to copy movies between only those disks 107 that are accessible to the individual MMC processors 401 (id., col. 16, ll. 36-40; *see also id.*, col. 4, ll. 35-49). With this design, Dewkett et al. discloses that “the bandwidths of the buses in the host computer system ... do not limit the rate of multimedia data transfers controllable by the host system,” in contrast to the prior art. Id., col. 10, ll. 11-14.

For at least these reasons, Dewkett et al. does not teach each and every recitation of claims 1 and 17. Accordingly, the Examiner has not set forth a *prima facie* case of anticipation with respect to claims 1 and 17, and Appellant respectfully requests that the rejection of these claims under 35 U.S.C. § 102(e) be reversed and the claims allowed.

B. Claims 4, 6, 11, 12, and 20

Claims 4, 6, 11, 12, and 20 are rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Dewkett et al. However, claims 4, 6, 11, 12, and 20 depend from one of claims 1 and 17. As explained in Section VIII(A), above, claims 1 and 17 are distinguished from Dewkett et al. Therefore, claims 4, 6, 11, 12, and 20 are likewise distinguished from Dewkett et al. for at least the same reasons as those set forth for claims 1 and 17. Accordingly, Appellant respectfully

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

requests that the rejection of claims 4, 6, 11, 12, and 20 under 35 U.S.C. § 102(e) be reversed and the claims allowed.

1. **Claim 6**

Further, claim 6 recites, *inter alia*:

the massively parallel video server includes a plurality of nodes
and each of the plurality of nodes comprises:

a video server program for streaming one or more of the
video streams from the one or more video titles stored in the set of
storage devices; ... and

at least one of the plurality of processors running the video
server program.

Claim 6, ll. 1-8 (emphasis added).

Appellants note that the reference to “the plurality of processors” in the last line of claim 6 refers to the plurality of processors introduced in line 4 of claim 1. In the rejection of claim 1, the Examiner reads the host CPUs 101 of Dewkett et al. as this plurality of processors. See Final Office Action, p. 7, ll. 2-5. However, in the rejection of claim 6, the Examiner asserts that “the claimed ‘plurality of nodes ...’ are met by Multimedia Adapters 106” (id., p. 7, 19-20) and reads *the host MMC processors 401* (which are components of the MM adapters 106) as the plurality of processors (see id., p. 8, ll. 7-9).

The Examiner’s various characterizations of Dewkett et al. cannot be reconciled. The host CPUs 101 of Dewkett et al. are distinct from the MM adapters 106 (see Dewkett et al., FIG. 1), and are thus distinct from the MMC processors 401 (see id., FIG. 4). In fact, the MMC processors 401 are connected to the host CPUs 101 through I/O bus 105. See id., col. 11, ll. 7-12.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

However, regardless of how the Examiner characterizes Dewkett et al., the reference does not anticipate claim 6. The CPUs 101 of Dewkett et al. “are not used for [multimedia] data transmission” (Dewkett et al., col. 10, ll. 4-5), and thus do not run “a video server program for streaming ... video streams,” as recited in claim 6. Moreover, the MMC processors 401 do not have “concurrent access to the same set of storage devices,” as recited in claim 1 and required by claim 6. Id., FIGs. 3 and 4, and col. 4, ll. 41-44. As explained in Section VII(A), above, rather than providing concurrent access to disks 107, Dewkett et al. uses CPUs 101 to copy movies between the subset of disks 107 that are accessible to the respective MMC processors 401. Id., col. 16, ll. 36-40.

Thus, contrary to the Examiner’s assertions, Dewkett et al. does not show “at least one of the plurality of processors running the video server program,” as recited in claim 6 (emphasis added). For at least these additional reasons, Dewkett et al. does not teach each and every recitation of claim 6 and, accordingly, Appellant respectfully requests that the rejection of this claim under 35 U.S.C. § 102(e) be reversed and the claim allowed.

C. Claims 2, 18, and 26

Claims 2, 18, and 26 are rejected as allegedly unpatentable over Dewkett et al. in view of Ehreth. Claims 2, 18, and 26 depend directly or indirectly from claims 1 and 17. As explained in Section VIII(A), above, claims 1 and 17 are allowable over Dewkett et al. Moreover, Ehreth is not relied upon to teach, and in fact does not teach the above-noted deficiencies of Dewkett et al. For at least these reasons, Dewkett et al. and Ehreth, taken alone or in combination, do not teach or suggest the recitations of claims 2, 18, and 26. That is, neither Dewkett et al. nor Ehreth, nor any combination thereof, teaches or suggests at least “a plurality of processors” that are both “configured to stream a plurality of video streams from one or more

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

video titles stored in the set of storage devices” and “hav[e] concurrent access to said set of storage devices for concurrently streaming the plurality of video streams,” as required by these claims. Thus, Dewkett et al. and Ehreth do not establish a *prima facie* case of obviousness with respect to claims 2, 18, and 26. Accordingly, Appellant respectfully requests that the rejection of these claims under 35 U.S.C. § 103(a) be reversed and the claims allowed.

D. Claims 3, 5, 10, 13, 15, 19, 23, and 24

Claims 3, 5, 10, 13, 15, 19, 23, and 24 are rejected as allegedly unpatentable over Dewkett et al. in view of Banks. However, these claims depend, directly or indirectly, from one of claims 1 and 17. As explained in Section VIII(A), above, claims 1 and 17 are distinguished from Dewkett et al., for at least the reasons set forth above, and Banks does not cure the cited deficiencies of Dewkett et al. For at least these reasons, neither Dewkett et al. nor Banks, nor their combination, teach all of the elements required by claims 3, 5, 10, 13, 15, 19, 23, and 24, and thus do not establish a *prima facie* case of obviousness. Accordingly, Appellant respectfully requests that the rejection of these claims under 35 U.S.C. § 103(a) be reversed and the claims allowed.

1. Claims 3, 13, 19, and 24

In addition, claim 3 recites, “[t]he interactive multimedia system of claim 1, further comprising: an encoder for encoding video *and for storing* the encoded video in the massively parallel video server.” Claim 3, lines 1-3 (emphasis added). Claim 19 contains similar recitations.

Further, claim 13 recites, “[t]he interactive multimedia system of claim 3, wherein the encoder comprises a real-time encoder for encoding *real-time* video.” Claim 13, ll. 1-2. Claim 24 contains similar recitations.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

The Examiner admits that Dewkett et al. fails to teach an encoder. Final Office Action, p. 10, ll. 12-14. In an attempt to supply this teaching, the Examiner cites Banks as teaching “a Video Server 102 with a video encoder 106 that streams real-time video on the fly to Client 110” Final Office Action, p. 10, ll. 15-17. However, the encoder 106 of Banks does not encode the video *and store* the encoded video in the video server, as recited in claims 3 and 19. Instead, the encoder 106 reads video *from* storage device 124, encodes it, and transmits it to the client 110. See Banks, col. 3, ll. 47-50, and col. 4, ll. 3-7 and 65-67. Further, the video that is encoded by encoder 106 is nowhere described as “real-time” video, as recited in claims 13 and 24. Rather, it is video that was previously stored on storage device 124. Id. In Banks, “on the fly” refers to the encoding, not to the video. Id. Thus, Banks does not teach “real-time video” as recited in claims 13 and 24.

For at least these additional reasons, Dewkett et al. and Banks, taken alone or in combination, do not teach or suggest the recitations of claims 3, 13, 19, and 24, and thus do not establish a *prima facie* case of obviousness. Accordingly, Appellant respectfully requests that the rejection of these claims under 35 U.S.C. § 103(a) be reversed and the claims allowed.

2. Claims 5, 10, 15, and 23

Further, claim 5 recites, “[t]he interactive multimedia system of claim 1, *further comprising* a web server for storing data and sending the data via the high capacity transport system to the plurality of client devices.” Claim 5, ll. 1-3 (emphasis added). Claim 23 contains similar recitations.

The Examiner admits that Dewkett et al. fails to teach a web server. Final Office Action, p. 11, ll. 1-2. In an attempt to cure this deficiency, the Examiner cites Banks as teaching a video server 102 that “can be implement[ed] by a web server,” and concludes that “it would have been

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

obvious to one of ordinary skill ... to incorporate the teaching of Banks into the system of Dewkett to provide a web server to enable clients to access web pages and other Internet services." Final Office Action, p. 11, ll. 3-8.

However, Banks does not teach a web server *in addition to* a video server. Rather, Banks teaches that "server 102 may be ... a web server." Banks, col. 3, l. 53. Thus, even assuming that it would have been obvious to the artisan to combine the teachings of Dewkett et al. and Banks (which Appellant does not admit), the combination would teach, at most, implementing the Dewkett et al. server as a web server, and not "[a]n interactive multimedia system, comprising: a massively parallel video server," as recited in claim 1, and "*further comprising* a web server," as recited claim 5 (emphasis added).

For at least these additional reasons, Dewkett et al. and Banks, taken alone or in combination, do not teach or suggest the recitations of claims 5 and 23, and thus do not establish a *prima facie* case of obviousness. Claims 10 and 15 depend from claim 5 and are thus distinguished from these references for at least the same reasons. Accordingly, Appellant respectfully requests that the rejection of claims 5, 10, 15, and 23 under 35 U.S.C. § 103(a) be reversed and the claims allowed.

E. Claim 7-9, 21, and 22

Claims 7-9, 21, and 22 are rejected as allegedly unpatentable over Dewkett et al. in view of Hluchyj. Claims 7-9, 21, and 22 depend from one of claims 1 and 17. As explained in Section VIII(A), above, claims 1 and 17 are allowable over Dewkett et al. Further, Hluchyj is not relied upon to teach, and does not teach the above-noted deficiencies of Dewkett et al. Consequently, the rejection of claims 7-9, 21, and 22 is not supported by Dewkett et al. or

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

Hluchyj, whether taken alone or in combination, and Appellant respectfully requests that the rejection of these claims under 35 U.S.C. § 103(a) be reversed and the claims allowed.

F. Claims 14 and 25

Claims 14 and 25 are rejected as allegedly unpatentable over Dewkett et al. in view of Banks and Cannon et al. However, these claims depend from claims 3 and 19, respectively. As explained in Section VIII(D)(1), above, claims 3 and 19 are allowable over Dewkett et al. in view of Banks. Moreover, Cannon et al. does not supply the deficiencies of Dewkett et al. and Banks discussed above. Thus, for at least these reasons, Dewkett et al., Banks, and Cannon et al., taken alone or in any combination, fail to teach or fairly suggest the recitations of claims 14 and 25. Accordingly, Appellant respectfully requests that the rejection of claims 14 and 25 under 35 U.S.C. § 103(a) be reversed and the claims allowed.

G. Claim 16

Claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Dewkett et al. in view of Banks and Fukui et al. However, claim 16 depends from claim 5. As explained in Section VIII(D)(2), above, claim 5 is allowable over Dewkett et al. in view of Banks. Moreover, Fukui et al. does not cure the above-cited deficiencies of Dewkett et al. and Banks. Thus, for at least these reasons, Dewkett et al., Banks, and Fukui et al. fail to teach or fairly suggest the recitations of claim 16, whether taken alone or in any combination. Accordingly, Appellant respectfully requests that the rejection of claim 16 under 35 U.S.C. § 103(a) be reversed and the claim allowed.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

H. Conclusion

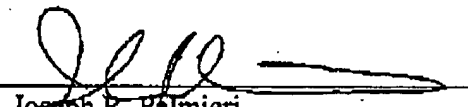
For the reasons given above, the Examiner has failed to establish that the cited references teach each and every element of the claims rejected under 35 U.S.C. § 102. The Examiner has also failed to establish a *prima facie* case of obviousness for the claims rejected under 35 U.S.C. § 103. Accordingly, Appellant respectfully request the Board of Patent Appeals and Interferences to reverse the Examiner's rejections of claims 1-26.

To the extent any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this Appeal Brief, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 07-2347.

Respectfully submitted,

Verizon Corporate Services Group Inc.,

By: _____


Joseph R. Palmieri
Reg. No. 40,760

Date: July 12, 2005

C/O Christian R. Andersen
600 Hidden Ridge Drive, HQE03H14
Irving, Texas 75038
(927) 718-4800

Customer Number 32127

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

VIII. CLAIMS APPENDIX

1. (Rejected) An interactive multimedia system, comprising:
a massively parallel video server that includes:
a set of storage devices; and
a plurality of processors configured to stream a plurality of video streams from one or more video titles stored in the set of storage devices, the plurality of processors all having concurrent access to said set of storage devices for concurrently streaming the plurality of video streams;
a plurality of client devices configured to receive at least some of the plurality of video streams; and
a high capacity transport system for transporting the video streams from the massively parallel video server to the plurality of client devices.
2. (Rejected) The interactive multimedia system of claim 1, further comprising:
a set of display devices connected to the plurality of client devices, respectively, for displaying the video streams.
3. (Rejected) The interactive multimedia system of claim 1, further comprising:
an encoder for encoding video and for storing the encoded video in the massively parallel video server.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

4. (Rejected) The interactive multimedia system of claim 1, further comprising:
a controller for monitoring the massively parallel video server, the high capacity transport system, and the plurality of client devices.
5. (Rejected) The interactive multimedia system of claim 1, further comprising a web server for storing data and sending the data via the high capacity transport system to the plurality of client devices.
6. (Rejected) The interactive multimedia system of claim 1, wherein the massively parallel video server includes a plurality of nodes and each of the plurality of nodes comprises:
a video server program for streaming one or more of the video streams from the one or more video titles stored in the set of storage devices;
an interface module for formatting the video streams into cells and transmitting the cells on the high capacity transport system;
a disk controller for retrieving the video titles from the set of storage devices; and
at least one of the plurality of processors running the video server program.
7. (Rejected) The interactive multimedia system of claim 1, wherein the high capacity transport system comprises one or more asynchronous transfer mode (ATM) switching systems.
8. (Rejected) The interactive multimedia system of claim 1, wherein the high capacity transport system comprises pre-established connections associated with the plurality of client devices, respectively.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

9. (Rejected) The interactive multimedia system of claim 1, wherein the high capacity transport system comprises pre-established bi-directional connections associated with the plurality of client devices, respectively.

10. (Rejected) The interactive multimedia system of claim 5, wherein each of the plurality of client devices comprises:

a browser program for retrieving the data from the web server;

a video client program for receiving one of the video streams and for controlling the video stream; and

a processor other than the plurality of processors in the massively parallel video server for executing the browser program and the video client program.

11. (Rejected) The interactive multimedia system of claim 1, wherein one or more of the plurality of client devices includes a set top box.

12. (Rejected) The interactive multimedia system of claim 1, wherein one or more of the plurality of client devices includes a personal computer.

13. (Rejected) The interactive multimedia system of claim 3, wherein the encoder comprises a real-time encoder for encoding real-time video.

14. (Rejected) The interactive multimedia system of claim 3, wherein the encoder comprises an off-line encoder for encoding off-line video.

15. (Rejected) The interactive multimedia system of claim 5, wherein the web server interfaces an Internet Protocol (IP) network.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

16. (Rejected) The interactive multimedia system of claim 5, wherein the data is in Hypertext Markup Language (HTML) format.

17. (Rejected) A method for delivering interactive multimedia from storage devices to a plurality of subscribers at a subscriber site, said method comprising:

providing a massively parallel video server that includes:

a set of storage devices; and

a plurality of processors configured to stream a plurality of video streams from one or more video titles stored in said set of storage devices, the plurality of processors all having concurrent access to the same set of storage devices for concurrently streaming the plurality of video streams;

streaming the plurality of video streams from the one or more video titles stored in the massively parallel video server; and

transporting the video streams to a plurality of clients via a high capacity transport system.

18. (Rejected) The method of claim 17, further comprising:

displaying the video streams on a plurality of display monitors connected to the plurality of clients, respectively.

19. (Rejected) The method of claim 17, further comprising:

encoding video and storing the encoded video as a video title in the massively parallel video server.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

20. (Rejected) The method of claim 17, further comprising:
monitoring the massively parallel video server, the high capacity transport system,
and the plurality of clients.
21. (Rejected) The method of claim 17, wherein the transporting step comprises:
transporting the video streams on pre-established connections to the plurality of
clients.
22. (Rejected) The method of claim 17, wherein the transporting step comprises:
transporting the video streams on pre-established bi-directional connections to the
plurality of clients.
23. (Rejected) The method of claim 17, wherein the transporting step comprises:
transporting data stored in a web server via the high capacity transport system to
the plurality of clients.
24. (Rejected) The method of claim 19, wherein the encoding comprises encoding
real-time video.
25. (Rejected) The method of claim 19, wherein the encoding comprises encoding
off-line video.
26. (Rejected) The method of claim 23, further comprising:
displaying the data on a plurality of display monitors connected to the plurality of
clients, respectively.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

IX. EVIDENCE APPENDIX

None.

Application No.: 09/252,326
Attorney Docket No.: 98-906 RCE 1

X. RELATED PROCEEDINGS APPENDIX

None.